

Notice of Non-Key Executive Decision

Subject Heading:	The purpose of this report is to make a Direct Award to Justice for Tenants for supply of services contract, in particular their software to generate compliant civil penalty notices.
Decision Maker:	Helen Oakerbee Director of Planning and Public Protection
Cabinet Member:	Councillor Terry Brown, Cabinet Member for Planning and Public Protection
ELT Lead:	Neil Stubbings Strategic Director of Place
Report Author and contact details:	Anand Punj, Public Protection Manager 01708 432 253 Anand.Punj@havering.gov.uk
Policy context:	A great place to live, work and enjoy - Promote good private sector housing for local people.
Financial summary:	This report seeks approval to award a contract to Justice for Tenants for one year. All services required are free of charge to the Council as the supplier derives its funding via Guy's & St Thomas' Foundation (Impact on Urban Health). If the service becomes chargeable or is decommissioned there is a slight risk the Council will incur costs for the development of a new system

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	which is very minimal due to the fact Justice for Tenants has received funding for three years.
Relevant Overview & Scrutiny Sub Committee:	Places Overview and Scrutiny Sub Committee
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non Key Decision

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The subject matter of this report deals with the following Council Objectives

People - Supporting our residents to stay safe and well [X]

Place - A great place to live, work and enjoy [X]

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

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DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks approval from the Director of Planning and Public Protection to make a direct award contract to Justice for Tenants Limited (09976600) for 12-months:

- The provision of bespoke software for the compliant and efficient generation of civil penalties **(no cost to the Council)**
- Free monthly reporting on a variety of data points regarding civil penalties generated **(no cost to the Council)**
- Receiving referrals for support, assistance and representation for tenants to bring Rent Repayment Orders **(no cost to the Council)**, including sending letters to tenants when requested by the Council.

Accordingly, the total cost of the contract is £0

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

Scheme 3.3.3 - Powers common to all Strategic Directors

1. General

1.1 To take any steps, and take any decisions, necessary for the proper management and administration of their allocated directorate, in accordance with applicable Council policies and procedures.

4. Contracts

4.2. To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3. This delegation shall include the ability to extend or vary a contract up to and including a value of £1,000,000 (provided that the extension is in line with the existing contractual provisions).

STATEMENT OF THE REASONS FOR THE DECISION

The Renters' Rights Act 2025 introduces a new statutory duty to enforce under section 107 (s.107 RRA 2025). The Act states..." ***It is the duty of every local housing authority to enforce the landlord legislation in its area***" Once in force, this is expected to drive a significant increase in enforcement activity in the form of Civil Penalty Notices, which is the tool available to Local Authorities. Local authorities will also be subject to quarterly reporting to MHCLG, including a detailed breakdown of civil penalties issued and the offences to which they relate.

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The types of offences Civil Penalty Notices can be served can be found in Appendix 1. (Civil penalties under the Renters' Rights Act 2025 and other housing legislation)

To support delivery of the new regime the London Borough of Havering made the decision in April 2026 (See Appendix 2), to update and align the existing Private Sector Housing enforcement policy, with the Association of Chief Environmental Health Officers (ACEHO) model enforcement policy. It has also adopted the model Civil Penalty Policy developed by Justice for Tenants (JFT).

To complement their Civil Penalty Policy, JFT operates a CPN Generator, which enables local authorities to produce compliant civil penalty notices efficiently. Officers input specific offence details, including the severity of the hazard, culpability and mitigating or aggravating factors. The software adjusts penalty amounts proportionally in line with policy and produces consistent penalty calculations and formal notices.

The existing penalty policy and matrix are obsolete due to the changes in legislation and adoption of the policy. Manual calculation of penalties is complex given the inputs which now need to be taken into account under the Renters Rights Act (see OTHER OPTIONS CONSIDERED AND REJECTED below)

Justice For Tenants is a non-profit organisation dedicated to raising standards for renters, empowering tenants through knowledge, and strengthening enforcement against rogue landlords and agents. The London Borough of Havering does not have an existing contractual relationship with Justice for Tenants. However, the two organisations have worked together to support tenants in the Private Rented Sector apply for Rent Repayment Orders against rogue landlords.

Between them, Justice for Tenants and JFT Legal have contracts in place with 151 other local authorities in England for the provision of support services relating to civil financial penalties. The organisations also have significant experience in Tribunal proceedings concerning housing enforcement offences. Their combined specialist policy expertise established civil penalty tooling, national local-authority experience, and immediate mobilisation capability mean that no comparable alternative supplier has been identified.

A direct award is therefore considered justified, proportionate, and in the Council's best interests.

OTHER OPTIONS CONSIDERED AND REJECTED

Use existing CPN matrix – This option was rejected as the current Civil Penalty Notice (CPN) matrix become obsolete on 1 May 2026 following the adoption of the new Civil Penalty Policy. The Renters' Rights Act and accompanying statutory guidance introduce substantial changes, including new offences, mandatory minimum penalty levels, and increased maximum penalties, none of which are adequately reflected or supported by the existing matrix.

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Update the CPN matrix – This option was also rejected. In addition to requiring updates to address the legislative changes outlined above, the existing matrix has previously been criticised by an experienced tribunal judge. While acknowledged as a commendable attempt to promote consistency and structured assessment, the judge concluded that it operated as a blunt tool and did not sufficiently allow for the nuanced, bespoke assessment of individual cases.

Significant and wholesale revisions would therefore be necessary to fully align the previous matrix with the newly adopted policy. This process would be time intensive and would likely require Counsel opinion, resulting in additional costs. By contrast, the JFT CPN generator is available at no cost and is already aligned with our adopted policy framework.

PRE-DECISION CONSULTATION

No pre-decision or formal decision required

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Anand Punj

Designation: Public Protection Manager

Signature:

Date: 04/06/2026

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Renters' Rights Act 2025 came into force on the 1st May 2026 and it has made significant changes to the law relating to private rented housing. This includes a statutory duty on local housing authorities to enforce the relevant housing legislation where breaches have occurred. The Council has already adopted the new Model policies issued by Justice for Tenants to ensure compliance with the new Act.

As set out in the report the proposal is to seek a direct award for the Justice for Tenants software which will allow the Council to issue valid civil penalty notices. Failure to adopt this will mean the Council will be in breach of its statutory duty.

The contracts and procurement team in legal services has reviewed the Justice for Tenant Supply of Services contract and it is compliant with the Contract Procedure Rules.

FINANCIAL IMPLICATIONS AND RISKS

The report seeks approval to award a one-year contract to Justice for Tenants. The contract will be provided at no cost to the Council, as the supplier is funded through Guy's & St Thomas' Foundation (Impact on Urban Health).

Justice for Tenants delivers a compliant civil penalty system alongside associated support services. Adoption of this system will enable the Council to streamline its civil penalty processes. In light of the expanded enforcement responsibilities under the Renter Rights Act 2025, this is expected to result in increased civil penalty income.

This arrangement offers a strong financial advantage, as it avoids the need for the Council to incur development or procurement costs. It also supports enhanced enforcement activity, contributing to higher income generation. The zero-cost model is based on supplier assurances that all operational costs are fully funded through external charitable sources.

However, there is a minimal risk that the service could become chargeable or be withdrawn in future years, potentially leading to replacement or development costs. This risk can be mitigated through ongoing monitoring and appropriate contingency planning.

The proposed decision complies with the Council's constitution and procurement requirements and represents good value for money given the zero-cost arrangement.

If approval is not granted, the Council is likely to incur costs associated with developing or procuring an alternative solution. This may also result in reduced enforcement capability, potential loss of income, and diminished compliance with new legislative requirements.

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**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are no human resources implications and risks associated with making of this award.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

Havering Council are committed to protecting and promoting the health and wellbeing of residents. There are no direct health and wellbeing implications associated with recommended decision to Direct Award a contract to Justice for Tenants.

Ensuring that the Council has robust systems in place to issue and monitor civil penalty notices will support efforts to protect residents from the harmful impacts of unsafe or insecure accommodation, which present significant risks to health and wellbeing. These benefits will only be fully realised if there is sufficient enforcement capacity to consistently issue and follow up any penalties issued. Further enforcement against landlords providing inadequate or unsafe accommodation may result in some leaving the private rented market, which will protect tenants from potentially harmful conditions, though would contribute to a reduction in the borough's available private-rented housing stock.

Behaviour and Lifestyle

Positive impacts

- Civil penalties create a strong incentive for landlords to maintain safe, warm and decent homes, which supports healthier daily behaviours:
- Warm, mould-free homes reduce respiratory illness, enabling greater physical activity.
- Adequate kitchen facilities and pest-free environments support healthier diets and food safety.
- Reduced housing stress may lower reliance on coping behaviours such as smoking or alcohol use.

Social and community influences

Positive impacts

Civil penalties deter poor practice such as:

- Unlawful evictions
- Discriminatory letting practices
- Failure to address hazardous conditions
- Improved housing conditions can reduce adverse childhood experiences linked to instability and unsafe environments

Negative impacts

- Reduced landlord participation in the sector could limit housing availability, potentially increasing overcrowding or temporary accommodation use, which can weaken community ties.

Mental health and wellbeing

Positive impacts

Enforcement through civil penalties can significantly reduce:

- Anxiety related to disrepair, damp, cold and unsafe housing
- Stress linked to fear of eviction or retaliation
- Reduced housing stress may lower reliance on coping behaviours such as smoking or alcohol use
- Improved housing security supports emotional wellbeing, particularly for:
 - Families with children
 - Survivors of trauma or abuse
 - People with existing mental health conditions

Living, working and environmental conditions

Positive impacts

Civil penalties create a strong incentive for landlords to maintain safe, warm and decent homes, which supports healthier daily behaviours

Civil penalties directly drive improvements in:

- Housing safety (fire, electrical, gas)
- Damp and mould management
- Structural integrity and sanitation

This leads to healthier indoor environments, reducing:

- Respiratory illness
- Injuries and accidents
- Environmental hazards

Negative impacts

- Poor enforcement capacity may limit real-world impact if penalties are not consistently applied.

Economic conditions

Positive impacts

Improved housing conditions have knock-on benefits for children's development and adult productivity

- Stable, decent housing supports:

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- Better employment outcomes
- Reduced sickness absence
- Lower healthcare and crisis costs
- Reduced risk of eviction lowers the likelihood of debt, homelessness and reliance on emergency services.
- Local authorities retaining civil penalty income may be able to reinvest in enforcement or housing services.

Negative Impacts

Smaller landlords may exit the market, with mixed effects on availability and affordability

Access to and quality of services

- Stable housing improves continuity of access to:
- Health and social care
- Education and training
- Local services and transport
- Children are less likely to experience school disruption linked to housing instability.
- Reduced homelessness demand eases pressure on emergency public services.

Impact on Communicable Diseases (*Flu, norovirus, mould-related illness*)

Positive impacts

- Civil penalties for poor housing standards incentivise:
 - Timely repairs
 - Damp and mould remediation
 - Adequate ventilation and sanitation
- This reduces transmission risks from:
 - Airborne routes (e.g. respiratory infections worsened by damp)
 - Contaminated surfaces or poor waste disposal (e.g. norovirus)
- Reduced overcrowding and better maintenance support infection control.

BACKGROUND PAPERS

Appendix 1

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LBH - Civil Penalties under the Renters Rights Act 2025 and other housing legislation

[28. App 2 LBH Draft CPN policy.pdf](#)

Appendix 2

[Decision - Housing Enforcement Policy - Update to incorporate Renters Rights Act 2025 | London Borough of Havering](#)

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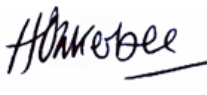
Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed 

Name: Helen Oakerbee, Director of Planning and Public Protection

Date: 20 August 2026

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____